IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH

AT HYDERABAD

HON'BLE Mr. JUSTICE R. SUBHASH REDDY

Writ Petition No.248 of 2007

Dated: January 05, 2007

Between:

P. Seshagiri Rao, S/o. Brahmaiah, aged about 49 years,
Working as Jr. Lecturer (Sanskrit) Maredumilli, A.P.
Tribal Welfare Residential Jr. College at Maredumilli,
East Godavari District.

… Petitioner

And

The Gurukulam, rep. by its Member Secretary
DSS Bhavan, Masab Tank, Hyderabad, and another.

… Respondents

ORDER:

The petitioner, a Junior Lecturer in Sanskrit, has filed this Writ Petition questioning the order dated 01-09-2006 passed in proceedings Rc.No.B1/565/2006-1, by the first respondent imposing the punishment of stoppage of one annual grade increment, without cumulative effect on him.

The petitioner who was initially appointed as T.G.T in the year 1985 was promoted as P.G.T. in the year 1992 and then as Junior Lecturer in the

year 1994 and has been continuing in the said post. Certain disciplinary proceedings were initiated against him while he was working as Principal (FAC) in A.P. Tribal Welfare Residential College, Utnoor, and he was kept under suspension, and, a charge sheet dated 12-03-2006 was issued to him framing as many as six charges against him.

It is the case of the petitioner that he has submitted explanation dated 27-03-2006 denying the said charges; however, the impugned order, imposing the punishment of stoppage of one annual grade increment without cumulative effect, has been passed without giving him any opportunity. It is stated that the charges are very vague and they cannot constitute basis for passing the order of stoppage of one annual grade increment.

It is stated that as against the impugned order, the petitioner has preferred an appeal dated 10-10-2006 to the second respondent as provided under the by-laws of the society and the same has not yet been taken up for consideration.

Learning Standing Counsel appearing on behalf of the respondents, on instructions, submits that the appeal dated 10-10-2006 was received in the office of the respondents only on 16-10-2006 and the same has to be transmitted to the competent authority for consideration.

As much as the appeal filed by the petitioner against the impugned order is pending consideration, it is not desirable for this Court to go into the merits of the case. As it is the case of the petitioner that the impugned order has been passed without giving further show cause notice after enquiry report is submitted, I deem it appropriate to dispose of the Writ Petition directing the second respondent/appellate authority to consider the appeal dated 10-10-2006 filed by the petitioner against the order of the first respondent dated 01-09-2006 and pass appropriate orders as expeditiously as possible, preferably within a period of two months from the date of receipt of a copy of this order.

I direct that the order of the first respondent dated 01-09-2006 shall stand suspended till the disposal of the appeal by the second respondent.

The Writ Petition is accordingly disposed of. No order as to costs.

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JUSTICE R. SUBHASH REDDY.

DATED:05-01-2007
MRR/Msnr